

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

UNITED STATES OF AMERICA §
§ No. 6:20-CR-38
v. §
§ JCB/KNM
CHRIS ALAN IRBY §

FACTUAL BASIS

Investigation by Bureau of Alcohol, Tobacco, Firearms, and Explosives (BATFE), the Texas Department of Public Safety, and the Gregg County Sheriff's Office disclosed the following facts that establish that I, the defendant, **Chris Alan Irby**, committed the conduct described in Count 1 of the indictment, which charges a violation of 21 U.S.C. § 841(a)(1) (possession with intent to distribute methamphetamine). I agree that the following factual basis is true and correct:

1. On January 17, 2020, in Longview, in Gregg County, in the Eastern District of Texas, Troopers from the Texas Department of Public Safety lawfully detained me because they observed me walking across a parking lot and were aware that I had an active arrest warrant. The Troopers lawfully arrested me pursuant to the warrant and then lawfully searched my person and the bags I was carrying. During the search of those bags, the Troopers located methamphetamine, a methamphetamine smoking pipe, scales, and packaging often used to distribute narcotics. The methamphetamine was later tested in a laboratory and determined to be 54 grams of actual methamphetamine. I agree and stipulate that I possessed the methamphetamine with the intent to distribute it to others.

The Troopers also located two firearms in the bags. Specifically, the Troopers located a Sig Sauer P226 handgun and a Smith & Wesson SW9VE handgun. I agree and stipulate that I knowingly possessed both firearms. I agree and stipulate that the guideline enhancement specified in U.S.S.G. § 2D1.1(b)(1) applies, providing for a two-level increase.

2. I am pleading guilty to Count 1 in this case because I am guilty of the violation alleged. I have had an opportunity to consult with an attorney and I am satisfied with the advice and counsel provided to me. I acknowledge that these acts violated 21 U.S.C. § 841(a)(1). I hereby stipulate that the facts described above are true and correct, and I accept them as the uncontested facts of this case.

3. I stipulate and agree to forfeit any and all interest I may have in the following described property to the United States because the property constitutes proceeds traceable to the illegal activity described in the indictment or are instrumentalities of the offenses:

Firearms and Ammunition:

- (1) Sig Sauer P226 9mm pistol, SN U366388
- (2) Smith & Wesson SW9VE 9mm pistol, SN PBM3893
- (3) Multiple rounds of 9mm caliber ammunition

Cash Proceeds:

A sum of money equal to \$5,000.00 in United States currency and all interest and proceeds traceable thereto, representing the amount of proceeds obtained by the defendant as a result of the offense(s) alleged in this indictment, for which the defendant is personally liable

Dated: 4-7-2021

Chris Alan Irby Jr
CHRIS ALAN IRBY
Defendant

I have reviewed this Factual Basis with the defendant. Based on these discussions, I am satisfied that he understands the terms and effect of the Factual Basis and that he has signed it voluntarily.

Dated: 4-7-2021

Kenneth Hawk
KENNETH HAWK
Attorney for Defendant